

PATENT

Case 0876-0086.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)

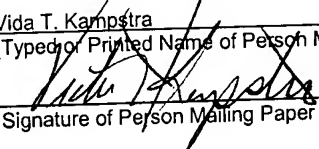
James H. Keithly, et al.)

JUICES INCORPORATING)
MID-SEASON ORANGE CULTIVARS)

Serial No.: 10/650,291)

Filed: August 28, 2003)

Examiner:
Group Art Unit:

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Date of Deposit	October 1, 2003
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INFORMATION DISCLOSURE STATEMENT

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P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references listed on the attached PTO form are called to the attention of the U.S. Patent and Trademark Office. Applicants enclose a copy of only those references which are listed on sheet 2 of 9 and sheet 9 of 9. All others had been submitted in the original application and/or in the pending divisional application, and copies of these are not enclosed.

This statement is provided in order to comply with 37 CFR \$1.56, \$1.97 and \$1.98, and this statement is not to be construed as a representation that no information exists which

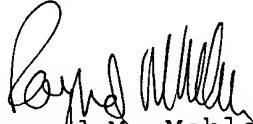
Serial No. 10/650,291

- 2 -

is more material than these references, or that the information is considered to be material to patentability.

Respectfully submitted,

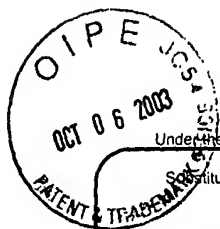
COOK, ALEX, MCFARRON, MANZO,
CUMMINGS & MEHLER, LTD.



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Dated: October 1, 2003



PTO/SB/08A (04-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 9

Complete if Known

Application Number	10/650,291
Filing Date	August 28, 2003
First Named Inventor	James H. Keithly
Art Unit	
Examiner Name	
Attorney Docket Number	0876-086.01

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 3,227,562	01-04-1966	Houghtaling	
		US- 3,917,867	11-04-1975	Atkins et al.	
		US- 5,298,483	03-29-1994	Yokoyama et al.	
		US- 5,468,508	11-21-1995	Wu et al.	
		US- 6,007,863	12-28-1999	Chenchen et al.	
		US- 6,143,347	11-07-2000	Keithly et al.	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0288103 A	10-26-1988	Procter & Gamble		
		WO 01/87092	11-22-2001	The Coca-Cola Company		

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SignatureDate
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	10/650,291
		Filing Date	August 28, 2003
		First Named Inventor	James H. Keithly
		Art Unit	
		Examiner Name	
Sheet 3	of 9	Attorney Docket Number	0876-0086.01

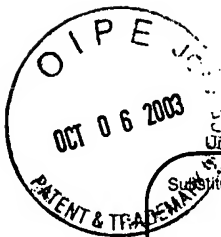
NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A	ANDRADE ET AL., "Measuring Certain Characteristics of West adn Maracana Sweet Orange Trees", Scientific, 6(1):93-100, 1978.	
	B	LUFUENTE ET AL., "Methods Used to Obtain Blends of Orange-Juice Having a Pre-Established Color", Journal of Agrochemistry and Food Technology, 19(4):549-553, 1979.	
	C	PIO, ET AL., "A Study on Some Fruit and Seed Characteristics of Various Types of Sweet Orange Citrus sinensis", (L.) Orsbeck, San Paulo, Brazil, Vol. 2, pp 632-641, 1984.	
	D	PAO, ET AL., "Formulation and Sensory Evaluation of Fresh-Squeezed, unpasteurized Citrus Juice Blends," Fruit Processing, Florida Dept. of Citrus, 1996.	
	E	NELSON ET AL., "Fruit and Vetgetable Juice Processing Technology, 3rd Ed. Avi Publishing Co., CT, pp. 41, 42 and 64. (1980).	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		Art Unit			
		Examiner Name			
Sheet	4	of	9	Attorney Docket Number	0876-0086.01

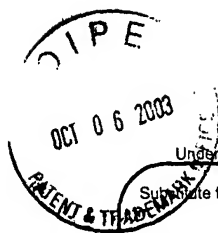
NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	F	REDD ET AL., "Quality Control Manual For Citrus Processing Plants, Volume 1, pages 22-31, Intercit,	
		Inc., Safety Harbor, Florida (1986).	
	G	CASTLE, "Promising New Selections of Sweet Orange Cultivars" Citrus Industry, Vol. 8, No. 6,	
		June 1999.	
	H	BONAVENTURA, S., 1993. "Refrigeration of Blood Oranges Destined for Transformation" Fluessiges obst	
		60 (8), Fruit processing 3(8), 284, 286-289. abstract only.	
	I	GMITTER, "Characteristics and Potential of New Citrus Cultivars", Citrus Processing Short Course	
		1995, Food Industry Short Course Proceedings, Florida Agricultural Experiment Station Journal Series	
		No. N-01137 (p. 165-172), USA 1995	

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Supplemental form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 5 of 9

Complete if Known

Application Number	10/650,291
Filing Date	August 28, 2003
First Named Inventor	James H. Keithly
Art Unit	
Examiner Name	
Attorney Docket Number	0876-0086.01

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	J	WIDMER & BARROS, "Flavonoids in Ambersweet Orange and the Impact on Juice Adulteration Detection", 46th Annual Citrus Processors' Meeting October 11, 1995 (p. 21-26), Citrus Research and Education Center, Lake Alfred, Florida (Univ. of Florida)(1992).	
	K	CASTLE, "Varieties, Rootstockes, and Juice Quality", Citrus Processing-Present and Future, 1992 Food Industry Short Course, Florida Agricultural Experiment Station Journal Series No. N-00640 (p. 1-9).	
	L	Declaration of William S. Castle, 12 November 2001.	
	M	PIO, ET AL., "Study of Some Characteristics of Fruit and Seeds of Various Kinds of Sweet Orange, Citrus sinensis (L.) Osbeck, (p. 1-12) Sao Paulo, Brazil (circa 1983) (with English translation).	
	N	Request for Ex Parte Reexamination and Thrid Party Requester's Statement Pursuant to 37 C.F.R. §§ 1.510(b)(1) and b (d).	

Examiner Signature	Date Considered
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Application Number	10/650,291
Filing Date	August 28, 2003
First Named Inventor	James H. Keithly
Art Unit	
Examiner Name	
Attorney Docket Number	0876-0086.01

Sheet

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of

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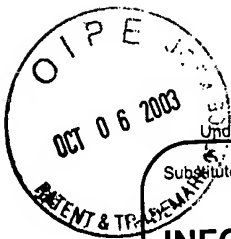
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	O	BARROS and CARTER, "'Amersweet Orange' - Processed Juice Quality Characteristics", Florida Department of Citrus, 1990 and C.J. Hearn, United States Dept. of Agriculture.	
	P	DONADIO, ET AL., "Evaluation of Sweet Orange Preimmunized Clones", Proc. Interamer. Soc. Trop. Hort.	
		39:103-105. 1995.	
	Q	LEE and CASTLE, "Seasonal Changes of Carotenoid Pigments and Color in Hamlin, Earlygold, and Budd Blood Orange Juices", J. Agric. Food Chem. 2001, 49, 877-882.	
	R	ANDRADE ET AL., "Determinacao De Algumas Caracteristicas Das Laranjeiras DOces Westin E. Maracana, (Citrus sinensis L. Osbeck).	
	S	PCT International Preliminary Examination Report.	
	T	Petitioner's Reply to Patetn Owner's Statement.	

Examiner
SignatureDate
Considered

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

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Application Number	10/650,291
Filing Date	August 28, 2003
First Named Inventor	James H. Keithly
Art Unit	
Examiner Name	
Attorney Docket Number	0876-0086.01

Sheet 7 of 9

NON PATENT LITERATURE DOCUMENTS

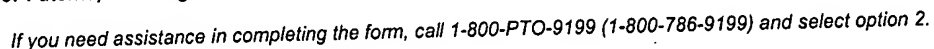
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	U	EP Search Report 00 932 189.4.	
	V	Office Action in Ex Parte Reexamination.	
	W	Declaration of Kevin Gaffney.	
	X	Declaration of John Attaway, Sr.	
	Y	Patent Owner's Statement	
	Z	Declaration of Norman Todd	
	AA	Declaration of James H. Keithly	
	BB	Declaration of Juliana Parente	
	CC	Information Disclosure Statement of Applicant.	

Examiner Signature	Date Considered
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	10/650,921
		Filing Date	August 28, 2003
		First Named Inventor	James H. Keithly
		Art Unit	
		Examiner Name	
Sheet 9	of 9	Attorney Docket Number	0876-0086.01

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	EE	PCT International Search Report, PCT/US01/25028, May 6, 2002.	
	FF	GALLASCH, "Effect of time of harvest on alternate cropping yields and fruit quality of Valencia orange trees, XP-001077814, pgs 461-464, Australian Journal of Experimental Agricultural and Animal Husbandry: Vol 18, June, 1978.	
	GG	PAO, ET AL., "Formulation and sensory evaluation of fresh-squeezed, unpasteurized citrus juice blends", Florida Dep. of Citrus, 1996. Abstract XP-002149006.	

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